



ANNO DECIMO QUINTO

GEORGII VI REGIS.

A.D. 1951.

No. 36 of 1951.

An Act to amend the Mining Act, 1930-1950.

[Assented to 6th December, 1951.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Mining Act Amendment Act, 1951". Short titles.

(2) The Mining Act, 1930-1950, as amended by this Act, may be cited as the "Mining Act, 1930-1951".

(3) The Mining Act, 1930-1950, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 125 of the principal Act is repealed and the following section is enacted and inserted in its place :—

125. (1) In this section—

"sum reserved by a mining lease" or "reserved sum" includes rent, royalty, and every other sum reserved by or payable pursuant to a mining lease, whether granted before or after the enactment of this section ;

"appointed day" means the day fixed by or under a mining lease for the payment of any sum reserved by or payable under that lease to His Majesty or the Minister.

Repeal of s. 125 of principal Act and enactment of other provisions— Penalties for non-payment of money payable under leases.

(2) If any sum reserved by a mining lease is not paid in full on or before the appointed day a penalty of five per cent of that sum shall be added to that sum and shall be due and payable on the day following the appointed day.

(3) If any sum reserved by a mining lease, together with any penalty added thereto under subsection (2) of this section, is not paid in full within one calendar month after the appointed day a further penalty of ten per cent of the said reserved sum shall be added to that sum and the said penalty, and shall be due and payable on the first day after the expiration of the said month.

(4) Any sum reserved by a mining lease and any penalty added to any such reserved sum may be recovered by the Minister by action brought by him in any court of competent jurisdiction at any time after the said sum or (as the case may be) the said penalty becomes due.

Such an action may be brought in the name of the Minister of Mines without specifying the name of the holder of the office for the time being.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.